

### **3.18 WILD HORSES**

This section describes the affected environment concerning wild horses in the Bonanza Herd Management Area (HMA), the Hill Creek HMA, and the Winter Ridge Herd Area (HA). Note that the Bonanza HA became the Bonanza HMA following a Plan Amendment to the Book Cliffs RMP in 2001. The wild horse objective of the Book Cliffs RMP for the Hill Creek Herd Area is to ensure that “Wild horse habitat will be managed to support desired population levels...” (BLM 1985); this statement encapsulates the objectives of management decisions in the new RMP.

A total of 3,360 AUMs is currently allocated to support 280 wild horses in the VPA. Approximately 2,340 animal unit months (AUMs) are currently allocated to support 195 horses in the Hill Creek Herd Area. The Book Cliffs RMP amendment of 2001 allocates 1,020 AUMs of forage for 85 horses in the Bonanza Herd Management Area. No forage has been allocated for horses in the Winter Ridge Herd Area.

#### **3.18.1 Bonanza Herd Management Area**

In 1984, the wild horse population in the Bonanza Herd Area was estimated at approximately 40 horses (BLM 1985a). Prior to completion of the 1985 Book Cliffs RMP, plans were discussed to limit the herd to approximately 50 horses. However, the final decision was to remove all wild horses because of perceived management problems. The rationale for the decision was based on unresolved conflicts associated with the manageability and protection of the horses. There was a perception that the horses could not be managed to achieve and maintain a thriving natural ecological balance, as required by the Wild Horse and Burro Act (BLM 2001).

In 1986, the BLM conducted a wild horse gather within the Bonanza HA. The Ute Tribe filed a complaint alleging ownership of the gathered horses. A national organization, Wild Horse Organized Assistance (WHOA), notified the BLM that if all of the horses were removed they would bring suit against BLM, citing as precedent an Interior Board of Land Appeals decision disallowing total removal from a herd area in Nevada. Consequently, the horses removed during the 1986 gather were returned to the Ute Tribe, based on Consent Decree 86-C-0821G issued by the United States District Court, Central Division. In turn, the Ute Tribe relinquished all claims on 13 wild horses within the herd area that had not been gathered. As part of the court order, and at the intercession of WHOA, the Ute Tribe agreed to deliver 26 unbranded wild horses to the BLM from the Pyramid Lake Paiute Reservation in Nevada. These horses were subsequently released into the Bonanza HA.

In 1998, as a result of detection of equine infectious anemia (EIA) disease in horses gathered by the Ute Tribe from lands adjacent to the HA, the BLM, the Animal Plant Health Inspection Service (APHIS), the Utah Department of Agriculture and Food, and the Ute Tribe entered into an agreement to gather and test all horses in the Uinta Basin, including the Bonanza horses, for EIA. In 1999, the BLM gathered the Bonanza wild horses and tested them for EIA. Some wild horses tested positive for EIA, were subsequently disposed of, and in June 2000, 72 disease-free horses were returned to the HA.

As mentioned above, in July 2001 the Book Cliffs RMP decision regarding the Bonanza HA was amended. The amended plan established the herd area as a herd management area (HMA) and provided guidelines for the long-term management of wild horses at an appropriate management level (AML) of 85 horses. However, the Bonanza herd (at a population of 92 individuals) was

gathered in November 2001 to comply with a court order, which required the BLM to remove all of the wild horses from the HMA. The horses were placed either in the BLM's Adopt-A-Horse program or in sanctuaries.

Approximately 16 miles of the western boundary of the Bonanza HMA (fenced) abuts the Uintah and Ouray Indian Reservation.

### **3.18.2 Winter Ridge Herd Area**

According to the 1985 Book Cliffs RMP, the Winter Ridge wild horses were to be gathered and removed; however, the decision has not been implemented. The rationale for the 1985 decision to remove this herd was that the area might not be suitable habitat for wild horses. Because of the high elevation of the area, deep snow (24-40 inches annually) can accumulate during the winter months, putting a wild horse herd in this area at risk. In 2003, 40 wild horses were gathered and removed from the Winter Ridge Herd Area to ease stress on native rangelands caused by grazing and to maintain the well-being of the wild horses remaining in the area.

This herd area is bordered by state grazing allotments that permit domestic horses to graze. Currently, there is little or no fencing between the state and federal allotments. Should Winter Ridge be designated as an HMA, a fenceline agreement may need to be negotiated between the state, the permittee, and BLM to minimize possible trespass situations between wild and domestic horses, or the BLM may need to negotiate with the state of Utah to eliminate domestic horses from those adjacent state allotments.

### **3.18.3 Hill Creek Herd Management Area**

The Hill Creek Extension of the Uintah and Ouray Indian Reservation separates the Hill Creek HMA into two parts: the northwestern and the southeastern.

In 2001, lands within the northwestern part, known as Naval Oil Shale Reserve Number 2 (NOSR-2) lands, were transferred to the Ute Tribe. Until the date of transfer, the BLM managed the surface resources on these lands, including wild horses, but the transfer allowed the Ute Tribe to manage, protect, and assert control over any horse located or found within the boundary of this parcel. The northern boundary of the transferred parcel is unfenced, so wild horses and Tribal horses, particularly those on either side of the unfenced boundary have been intermingling. Tribal and wild horses can potentially intermingle even in areas where fences exist: most existing fences are in need of maintenance or replacement.

As a result of the transfer of the NOSR-2 lands, the Hill Creek HMA can no longer be managed as one unit without greatly impacting Tribal lands. Thus, for the purposes of analysis in the VPA, the Hill Creek HMA will be considered as two herd areas: 1) Hill Creek Northwest/Wild Horse Bench and 2) Hill Creek Southeast/Agency Draw.

#### ***3.18.3.1 Hill Creek Northwest/Wild Horse Bench***

The transfer of the NOSR-2 lands to the Tribe resulted in the reduction of the HMA by 48,000 acres, or approximately 35%. This part of the HMA was estimated to contain approximately 50-60% of the total wild horse habitat. In the Wild Horse Bench portion of the Hill Creek Herd Area is a resident herd of approximately 100 horses, composed of several bands.

Livestock grazing within the HMA has been permitted to the Ute Tribe, although the Tribe has not used this allotment for over twenty years. The livestock grazing allotment is called Lower Showalter.

Wild horses are also currently using an area north of and adjacent to the HMA, bordered on the east by Tribal Lands and on the west by the Green River. Comprising approximately 30,347 acres, the horses have established home ranges there. Up until now, the area has not been considered crucial to the long-term survival of the herd and was not included in the original delineation of the HMA (BLM 1983a).

### ***3.18.3.2 Hill Creek Southeast/Agency Draw***

This portion of the Hill Creek HMA comprises approximately 55% private land (owned by Utah Oil Shale Corporation), 35% BLM land, and 10% state land. Maintaining wild horses in an area in which 65% of the land is in non-federal ownership could severely limit the ability of the BLM to manage them. If the BLM were requested to remove the wild horses from the private and state land, Southeast/Agency Draw would essentially be split into two parts. However, in the past, these two owners have not objected to wild horses grazing their land.

The HMA is bordered on the south by Tribal lands. In this area, horses move freely between public and Tribal lands. As Tribal lands are higher in elevation, during the winter season, horses tend to move from Tribal lands in the south onto public lands to the north. As a result of this seasonal migration, winter census counts for the HMA are typically two to three times higher than late summer counts (150-170 horses in winter, compared to 40-50 in summer). During the summer, the few springs and ponds in the herd area provide only enough water to support a resident herd of 40-50 horses, and so the majority of the horses move back to the Tribal land at that time. The population estimate for BLM/Tribal horses that use this portion of the HMA is presently unknown. The BLM and the Tribe gathered over 510 horses from this general area in 2002-2003 because drought conditions were negatively impacting the herds and range conditions.

Similar to horses in the Wild Horse Bench area, horses in the Agency Draw area are also using land outside the herd area boundary. This 22,865-acre area, Big Pack Mountain, has not been considered crucial to the long-term survival of the herd and was not included in the original delineation of the HA (BLM 1983a). Big Pack Mountain is bordered on its other three sides by private or Tribal lands.

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